

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2007 APR -3 PM 1:32

EPA REGION VIII  
HEARING CLERK

**IN THE MATTER OF:**

Warwick Oil Company  
115 Main St.  
Warwick, ND 55381

**Respondent.**

**Docket No. RCRA-08-2006-0006**

**WITHDRAWAL OF COMPLAINT**

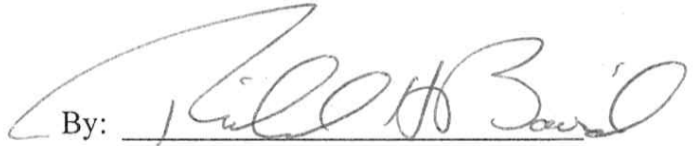
**Proceeding under Section 9006 of the  
Resource Conservation and Recovery Act**

On September 26, 2006, the United States Environmental Protection Agency ("Complainant or EPA") filed an Administrative Complaint, Compliance Order and Notice of Opportunity ("Complaint") against Warwick Oil Company ("Respondent"). The Complaint alleged that Respondent had violated the Resource Conservation and Recovery Act ("RCRA") §9003(c), 42 U.S.C. § 6991b(c), and 40 C.F.R. §280.31(b)(1) by failing to test the cathodic protection for underground storage tanks located at its facility. Since the filing of the Complaint, Respondent has provided EPA with information showing that the required testing had been performed as required.

Therefore Complainant, by its counsel, as allowed by 40 C.F.R. §22.14(d), hereby withdraws, without prejudice, the Complaint issued in this matter.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, REGION 8,  
Complainant.

Date: April 3, 2007

By: 

Richard H. Baird, Senior Enforcement Attorney  
U.S. EPA, Region 8  
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Denver, CO 80202-2466  
Colorado Atty. Reg. No. 29718  
Telephone: 303/312-6642  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the original and one copy of the WITHDRAWAL OF COMPLAINT was hand-carried to the Regional Hearing Clerk, EPA, Region 8, Street, Denver, Colorado, and that a true copy of the same was mailed by certified mail to:

Gary Elfman  
Warwick Oil Company  
115 Main St.  
Warwick, ND 55381

4/3/07  
Date

Judith M. McTernan  
Signature